

Leena Varughese, M.D.  
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March 27, 2015

The Honorable Colleen McMahon  
United States District Court Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

via ECF

Re: Varughese v. Mount Sinai Medical Center et al. (12 civ. 8812 (CM))

Honorable McMahon:

I am the Pro Se plaintiff in the above referenced lawsuit against Mount Sinai Medical Center, Carlos Cordon-Cardo, Ira Bleiweiss, Adolfo Firpo-Betancourt, and Patrick Lento, collectively referred to as the "Defendants".

I am writing to the court regarding the recent fabrications by the Defendants and their attorney, Mr. Rory McEvoy, within what has been a litany of fabrications, falsifications, conflation, and outright criminal misrepresentations of me, my character, my reputation, my health, and my identity as a woman of color, as an Indian-American citizen, as a woman physician of color of Indian American descent. I completed more than 3 years of their residency program. I personally can point single out several Caucasians who completed only 3 years and they are apparently working as pathologists, I also know of those who have completed only two years and who are also working as pathologists. Yet, there is some illusion that my work is not somehow equivalent and the same as the Caucasians who did less than me. There are also issues of delusions when it is about assessment of my qualifications as a physician, which I can reassure my racist sexist coworkers were quite exemplary and these were in fact superior to theirs, and no, my mom or my dad didn't secure these for me through their lawyer or medical backgrounds. These were earned honestly, unlike their credentials and degrees. Even in medicine, the people benefiting from advantages that would seem like affirmative action were my caucasian physician coworkers.

Moving on, Mr. McEvoy's allegations that he was not possession of audio recordings of conversations between various supervisors and administrators at Mount Sinai Medical Center is a



blatant lie. The Defendants and Mr. McEvoy were in possession of the audio recordings<sup>1</sup> that were requested by the court to corroborate with evidence submitted in the Motion in Opposition to Summary Judgement in Varughese v. Mount Sinai Medical Center et al, 12cv8812 docket, were in fact in his possession since May 2013 as evidenced by several emails. (Exhibit 1). This event was memorialized in email chains as noted in Exhibit 1 page, 2, and then, verbally to me by both Mr. Wronko in our telephone conversations, and then by Mr. McEvoy at my depositions where there were several discussions that placed the audio at the center of the discussions, that it was my understanding was that Mr. McEvoy would play the audio during my deposition.

I think that despite the stench of Mount Sinai Hospital's aggressive attacks on me and my future with blatant fabrications such as those from November 2011 that Mr. McEvoy personally oversaw, along with their ad hoc committee members such as Harold Bronheim (whose wife's last name is also McEvoy) and Michael Marin. The conduct of the Defendants and their attorneys are not of any more validity than the day they were hatched from racist sexist perverted minds of the Defendants and their proxies. The court reporter and Mr. McEvoy conversed intermittently during this event and much of the material were changed or improperly transcribed intentionally, as it is plain for the court to review and understand. To state that Mr. McEvoy is an unethical malicious reckless unprofessional profiteer of racism, bigotry, and gender discrimination against women, minorities, and minority women and a consummate liar is an understatement, because he actually propagated crimes against me, that is plain and clear from the timeline and his record with advising the Defendants. Even during the House Staff Affairs Hearing before their "Ad Hoc Committee" on November 14, 2011 are filled with implausible, farcical, and blatantly untrue allegations and fabrications by the Defendants, the members of their committee, and the interjections and outlandish false allegations of their longstanding outhouse counsel, Mr. McEvoy, who was at that time affiliated with the now defunct Edwards Wildman Palmer, LLC.

At this time, I was actually represented by legal counsel, who was not present because of a number of logistical issues. In addition, my attorneys were also not informed of the various concerns and allegation of the Defendants on or about September 2011, July 2011, nor were they even given the benefit of the correspondence to respond to their letters and phone calls to protect my civil rights. The circumstances surrounding my employment consisted of outright hostile work environment, racist sexist conduct towards me by my supervisors who threatened my professional career when I was starting my career in pathology with such a limited exposure to the profession that it was horrifying to me, even though I was well-prepared for my career as a pathologist both intellectually and emotionally, which they intended to destroy. They expected results from their conduct, which was made clear to me, in that they also immediately silenced another minority female physician who challenged the professional misconduct and malpractice activities towards her patient. Their covering up also depended on my being silenced, subjected to intolerable working conditions knowing full well that I was one of their best recruits (yes, I was certified, licensed, met all the requirements, made no mistakes on any cases, and worked

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diligently to improve myself and be a more competent professional than I was), yet they directed towards me such hatred and vitriol in such a way that it was deemed unconscionable by Caucasian students and professionals, as much as my coworkers such as Dr. Kruit Maniar. Meanwhile the challenge for my white coworkers were completely different, their silence was bought off in increments with days off from work, "so-called jury duties", national trips, hotel stays, thousands in additional monies from whatever nonsensical method possible albeit the moonlighting program was one of the pathology department's method, reimbursements, and lower standards of performance and professional conduct. It was blatant that I was a second class citizen in this dynamic, and their expectation was that I not succeed in a meaningful way in my career, and any evidence of my success was immediately met with directed attacks on me by only their Caucasian employees and supervisors.

My requests for appropriate transfers to another residency program given their illegal conduct was too harmful to them simply because it was an overt substantiation of my assessment of their illegal conduct, it would increase the workload of a number of my white coworkers who specifically did less work than everyone else and their demands were met, and it would also prove that their harassment of a minority woman, her competency, can be combated simply, with a different employer, an opportunity enjoyed by so many Caucasians, including the Defendants and Mr. McEvoy. Meanwhile, the incompetent, unprofessional white coworkers such as Adrienne Jordan and Samuel McCash were able to "succeed". However, even given all their advantages, they have benefited even more from harassing me, they have benefited from ownership of their racist sexist prejudices against minority men, minority women, and vulnerable caucasian women, and their bigotry came with tangible monetary and professional advancements for them personally. Therefore, it's not surprising to me that even to this day, the dementia rounds have gotten the best of their mind at depositions, the records and emails are deleted, and even "lists" made by McCash and forwarded amongst Melissa Pessin, Arthur Figur, Patrick Lento, Barnett, Marina Lowy are difficult for them to acknowledge, now. These people are corrupt even on a fundamental level, not recognizing their racism sexism and their attempts to cover it up now is further evidence of their white privilege. In fact, during the entire period of my being "unprofessional" was a period during which my workload was greater, my professional work was not limited in anyway, and a period during which my supervisors deemed my professional acumen as excellent, a fact that surprisingly posed a further threat to me, rather than help me, in a defunct hostile workplace with failed bigoted leadership such as Schiller, Pessin-Minsely, Lento, Cordon-Cardo, Barnett, and Firpo-Betancourt.

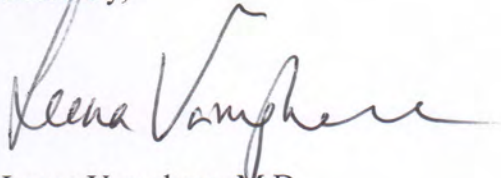
The justice system requires hawk like vigilance to ensure appropriate adjudication of legal matters of importance for aggrieved minorities who have recognized civil rights equivalent to Caucasians, yet I worked in a place that did not respect this agreement, this fundamental law of this country, and so much that, they feel empowered to conduct illegal activities against minorities such as with lawyers like Mr. McEvoy. This is the epitome of lower civil rights protections actively engendered by discrimination, and such actions are inherently profitable to them and for each of these individuals. They are not lay people without a degree, they are supervisors, directors of human resources, lawyers, and doctors, who profit from racism, sexism,



hostile conduct, retaliation, and torts against minorities. They can literally create out of whole cloth entire events, pseudo-expert like diagnosis that are malicious and reckless, and make assertions that have no place in professional practice, all of which were made clear in my motion in opposition for summary judgement, and supported with ample evidence.

Mr. McEvoy's client's Mount Sinai Medical Center et al, invariably almost always and nearly entirely Caucasian, other hospitals such as Beth Israel Medical Center, and their lawyers are known to literally make out of whole cloth allegations against minorities, such as in my case, and then, actively take to even further fabrications, redactions, and removing from the record key documents and evidence to further substantiate their false narratives, as if they are simply writing a grade school essay. There was also the coaching of the witnesses such as Jordan, who was overheard asking Mr. McEvoy if she had performed well on November 14, 2011, where she withheld information about the criminally false allegations she had made about me. Caryn Tiger-Paillex, Scott Barnett, Patrick Lento etc also withheld this information from me, but this rationale was used to justify the termination of my employment, the subsequent decisions of the House Staff Affairs Ad Hoc Committee, and the Appeal committee, as per my submissions to the court in the response that was the opposition to the motion for summary judgement that also had hundreds of pages sealed in excess of the requests by Mr. McEvoy. (Exhibit 2). The court has even apparently cited documents from the sealed record to justify it's decision, yet there is no access to the documents. I have wrote to the court stating that none of the documents should have been restricted, yet these are still restricted and I do not have access to them, which I will require access to adjudicate the matter. Please ensure that I can and the public can access my own filings. Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leena Varughese', with a stylized, flowing script.

Leena Varughese, M.D.